

# UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

Kolby Duckett, David Schilling, and David Holloway

Plaintiff

v.

Chief Brian Hickman, Ted Rogers, and the City of  
Collegedale, Tennessee

Defendant

) Civil Action No. 1:19-cv-00295

## SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

Tri-Community Fire Department  
Attention: Human Resources - 9769 Sanborn Drive, Ooltewah, Tennessee 37363

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: The entire personnel file for Brian Hickman from date of hire to present, including but not limited to any applications, reports, notes, recordings, interviews, write ups, statements, reviews, disciplinary letters, and any other items saved within Mr. Hickman's personnel file for the department.

Place: Davis & Hoss, P.C.  
850 Fort Wood Street  
Chattanooga, TN 37403

Date and Time:

07/23/2021 4:00 pm

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/23/2021

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Duckett, Schilling and Holloway, who issues or requests this subpoena, are:

JANIE PARKS VARNELL, Davis & Hoss, P.C. 850 Fort Wood Street, Chattanooga, TN 37403, Janie@davis-hoss.com

### Notice to the person who issues or requests this subpoena (423) 266-0605

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 1:19-cv-00295

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any)  
on (date) 06/23/21.

Tri Community Fire Department

I served the subpoena by delivering a copy to the named person as follows: via certified return receipt to Registered Agent, Michael St. Charles, of Chambliss Behner & Stophel on (date) 6/26/21; or  
 I returned the subpoena unexecuted because: (See Attached Signature Receipt)

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 06/30/21

Haley M. Kaye  
Server's signature

Haley M. Kaye - Paralegal  
Printed name and title

850 Fort Wood Street, Ch-H, TN 37403  
Server's address

Additional information regarding attempted service, etc.:

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</li> <li><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</li> <li><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature  <input checked="" type="checkbox"/> <i>James Martin</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>James Martin</i> <input type="checkbox"/> C. Date of Delivery  <i>6/20/21</i></p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p><i>Tri-City Fire Department  c/o Registered Agent  Michael N. St. Charles  605 Chestnut Street, Suite 1700  Chattanooga, TN 37450</i></p> <p></p> <p>9590 9402 6142 0209 6378 97</p>		<p><input checked="" type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input checked="" type="checkbox"/> Insured Mail  <input type="checkbox"/> Insured Mail Restricted Delivery  (\$500)</p> <p><input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation  <input type="checkbox"/> Restricted Delivery</p>	
2. Article Number (Transfer from service label)		Domestic Return Receipt	
7017 0190 0000 2994 3235			

PS Form 3811, July 2015 PSN 7530-02-000-9053

